

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD ON WEDNESDAY, MARCH 27, 2002
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL KOEHS, CLERK
MARIE E. MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

Also in attendance: Lawrence Dloski, Township Attorney
Jim Gelios, Deputy Clerk
Jim VanTiflen, Township Engineer
(Additional attendance record on file with Clerk)

ABSENT: None

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.
2. PLEDGE OF ALLEGIANCE.
3. APPROVAL OF AGENDA ITEMS (with any addendum's)

Tabled:

9. Rezoning Request; R-1-S to C-2; Located on the southeast corner of 23 Mile and Romeo Plank Road; Section 20. Gino Morelli, Petitioner. Tabled as requested by petitioner.

Additions:

- 18a. Request for Temporary Leave of Absence; Fire Department.
Supervisors Comments:
- 23a. Request for Personal Leave; Water/Sewer Department
- 23b. Contract for Township Street Mapping.
- 23c. Adoption of Resolution and Agreement; County Emergency Management.
Clerks Comments:
- 24a. Request for Temporary Help.

MOTION by DUNN seconded by MALBURG to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

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MOTION by OLIVER seconded by BUCCI to authorize payment of bills as submitted.

5. APPROVAL OF MEETING MINUTES.

MOTION by DUNN seconded by OLIVER to approve the minutes of March 13, 2002 as presented.

6. DEPARTMENT MONTHLY REPORTS

- A. Macomb County Sheriffs Department.
- B. Building Department
- C. Fire Department
- D. Water/Sewer Department
- E. Parks and Recreation Department

MOTION by DUNN seconded by MALBURG to receive/file and approve the Department Monthly Reports as a consent agenda.

MOTION carried.

7. PUBLIC COMMENTS

None

PUBLIC HEARING:

- 8. Consideration of Projects and Allocations for Fiscal Year 2002 Community Development Block Grant Program Funds.

Public Hearing began at 7:04 p.m.

Supervisor BRENNAN stated that the Township had received more requests with less funds available to disburse than the previous year. Mr. Brennan reviewed the list of organizations requesting funds and informed the audience that all requests had been forwarded to the Board prior to the meeting.

Board discussion was held regarding options of disbursement of the Public Service Funds.

MOTION by OLIVER seconded by BUCCI to close the Public Hearing at 7:10 p.m.

MOTION carried.

MOTION by DUNN seconded by BUCCI to approve the Allocation of the Community Development Block Grant Program Public Service Funds as follows:

Macomb Co. Community Services Chores Services - \$2,650.00; Macomb Township Parks and Recreation Senior Citizens Operations - \$4,500.00; St. Vincent DePaul – St. Isidore - \$5,000.00.

FOR THIS MOTION: DUNN, BUCCI, OLIVER, MALBURG, KOEHS, BRENNAN.

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OPPOSED: MEERSCHAERT
ABSENT: NONE

MOTION carried.

Supervisor BRENNAN opened the Public Hearing for Brick and Motor Funds at 7:18 p.m.

Additional Board discussion was held regarding the allocation of the Brick and Mortar Funds.

Several organizations addressed the Board.

MOTION by DUNN seconded by OLIVER to close the Public Hearing at 7:30 p.m.

MOTION carried.

MOTION by DUNN seconded by MEERSCHAERT to approve the Allocation of the Community Development Block Grant Program Brick and Mortar Funds as follows:

Macomb Township Parks & Recreation - Senior Center Rehab - \$118,850.00; Save Our Depot, Inc. (Historic Restoration) - \$5,000.00; and Solid Ground, Inc. - \$5,000.00.

FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, OLIVER, MALBURG, KOEHS, BRENNAN.

OPPOSED: NONE
ABSENT: NONE

MOTION carried.

PLANNING COMMISSION:

9. Rezoning Request; R-1-S (Residential One Family Suburban) to C-2 (General Commercial District); Located on the southeast corner of 23 Mile Road and Romeo Plank Road; Section 20. Gino Morelli, Petitioner. Permanent Parcel No. 08-20-200-039 & 040.

Table the matter to the meeting of April 10, 2002, as requested by the petitioner.

10. Request for Variance From the Land Division Reg. #17; The Bluffs of Beaufait Farms Subdivision; Located west of North Avenue and ¼ mile north of Hall Road; Section 35. David Weber, Petitioner. Permanent Parcel No. 08-35-401-001 & 002.

Mr. Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve the requested variances except for the waiver of the 8' wide asphalt pedestrianway along North Avenue.

Petitioner Present: Mr. Larry Miller of AEW

Board discussion was held regarding options available for the construction of the sidewalk.

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Public discussion was held regarding the location of the stub streets and the future expanding of North Avenue.

MOTION by MEERSCHAERT seconded by OLIVER to grant the variance for the elimination of landscape area, elimination of a stub street, allow for a longer block, and a shorter block as requested by the petitioner.

FOR THIS MOTION: MEERSCHAERT, OLIVER, DUNN, MALBURG, BUCCI, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

MOTION by MEERSCHAERT seconded by OLIVER to grant the variance for the elimination of the pedestrian pathway contingent upon the posting of a cash bond in an amount to be approved by the Township Engineers, in order to construct the Pedestrian Pathway when it is available for construction.

FOR THIS MOTION: MEERSCHAERT, OLIVER, MALBURG, DUNN, BUCCI, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

NEW BUSINESS:

11. Request Variance from the Conditions of the Final Preliminary Plat Approval; Twin Rivers Subdivision. Section 33. Twin River Development, Petitioner.

Supervisor BRENNAN reviewed the letter of request submitted by the petitioner regarding conditions to the final preliminary plat approval pertaining to the providing of a separate construction access.

Petitioner Present: Vincent DiLorenzo

Board discussion was held regarding clarifying the developers request and options available.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to approve the variance on the Final Preliminary Plat approval contingent upon the developer paying for road improvements to Mapleton Drive and once the permit for the bridge becomes available, it must be constructed and used for construction access.

MOTION carried.

12. Amend the Land Division Ordinance to require Street Lighting.

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Larry Dloski, Township Attorney, reviewed the amendment requiring Street Lighting for new subdivisions within the Township.

Public discussion was held regarding the effect it would have on existing subdivisions.

Board discussion was held regarding the standardizing of light fixture styles and color.

MOTION by OLIVER seconded by DUNN to move forward and adopt the amendment to the Land Division Ordinance to require Street Lighting.

TOWNSHIP OF MACOMB

MACOMB COUNTY, MICHIGAN

AMENDMENT OF MACOMB TOWNSHIP CODE

TITLE

AN ORDINANCE amending Chapter 17, Article IV and V of the Macomb Township Code pertaining to a requirement for street lighting, and repealing any and all ordinances, resolutions or parts thereof inconsistent with the provisions of this amendment.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN ORDAINS:

Section 17-145(d), Required Public Improvements

Subsection (11) added to read as follows:

Subdivision lighting shall be provided at each entrance, intersections and throughout the subdivision. All lights, including the base and pole, shall be limited to a total height of fifteen (15) feet and shall be screened to prevent glare on traffic and surrounding parcels. The ground level illumination from such lights shall remain lit from dusk til dawn. The restrictive covenants of the subdivision shall make provisions for the responsibility and maintenance of the lighting. A homeowners association shall be responsible to operate and maintain the lighting. The township will contract with Detroit Edison for the initial construction and subsequent lamp charges. The developer shall petition, and the Township will establish, a special assessment district consisting of all lots in the subdivision which construction and lamp charges will be spread over each lot within the special assessment district.

Section 17-146(b), Street Lighting as an optional improvement is revoked.

Article V, Section 17-177 of the Site Condominium Subdivision Review Standards, is revised to add a subsection (r) which reads as follows:

(r) A street lighting plan to provide lighting at each entrance, intersection and throughout the development. The Township will contract with the condominium association for the installation, maintenance and costs of street lights.

SECTION 1. SEVERABILITY

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If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 2. PUBLICATION

This Ordinance shall be published in full in the *Macomb Daily* a newspaper of general circulation in the Township of Macomb, within thirty (30) days after its adoption.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from and after the date of publication of a true copy in a newspaper circulating within the Township of Macomb, as provided by Section 4.

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Macomb Township, Macomb County, Michigan at a meeting held on the 27th day of March, 2002, by the following vote of the members thereof:

AYES: MEMBERS BRENNAN, KOEHS, MALBURG, BUCCI, DUNN, MEERSCHAERT, OLIVER

NAYS: MEMBERS NONE

ABSENT: MEMBERS NONE

This Ordinance was published in the Macomb Daily Newspaper as required by law in its edition for Thursday, April 4th, 2002.

Michael D. Koehs, Clerk
Macomb Township

MOTION carried.

13. Board of Country Road Commissioners of Macomb County; 2002 – 38% Calcium Chloride Program.

Supervisor BRENNAN reviewed the request and stated his recommendation of 4 applications.

Board discussion was held regarding mileage calculated into the cost formula.

Public Portion: None

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MOTION by OLIVER seconded by MEERSCHAERT to follow the recommendation of the Township Supervisor and approve the Board of County Road Commissioners of Macomb County; 2002 Calcium Chloride Program for four applications.

MOTION carried.

14. Request to Adopt Eagle Scout Resolution.

Clerk KOEHS reviewed the resolution honoring Eagle Scout Lance P. Tuscany.

MOTION by DUNN seconded by KOEHS to adopt the Eagle Scout; Lance P. Tuscany Resolution.

**Resolution Honoring
Eagle Scout
Lance P. Tuscany**

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 27TH day of March , 2002 at 7:00 PM the following preamble and resolution were offered by member DUNN and supported by member KOEHS.

Whereas, Lance P. Tuscany started his scouting career with Pack 77 at the Switzer Elementary School in 1996, during which time he received his Arrow of Light and the Parvuli Dei Award; and,

Whereas, Lance P. Tuscany continued his scouting career with Boy Scout Troop 208 where he has distinguished himself by earning twenty-seven merit badges; and,

Whereas, Lance P. Tuscany has served as Troop Guide and presently serves as Patrol Leader for the Road Runner Patrol; and,

Whereas, Lance P. Tuscany is an Honor Student at Shelby Junior High School and by his own actions and high moral standards has made himself a role model to other scouts and his peers:

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Trustees recognizes the dedication, commitment and personal sacrifices Lance P. Tuscany has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Lance P. Tuscany on his elevation to Eagle Scout and furthers extends its best wishes to Lance in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Sunday, May 5, 2002

**Lance P. Tuscany Day
in
Macomb Township**

FOR THIS RESOLUTION: Supervisor John Brennan, Clerk Michael D. Koehs, Treasurer Marie Malburg, Trustees Dino F. Bucci Jr., Janet Dunn, Kenneth Meerschaert Jr., and Charles Oliver.

Michael D. Koehs, Clerk

Township of Macomb

MOTION carried.

15. Approval of Restrictive Covenants for Sites 9 and 9A.

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Larry Dloski, Township Attorney, stated his recommendation to table this matter indefinitely and not act on it.

Public Portion: None

MOTION by MEERSCHAERT seconded by OLIVER to table the matter indefinitely.

MOTION carried.

FIRE DEPARTMENT:

16. Request to purchase new Copy Machine for Station No.2.

Raymond Ahonen, Fire Chief, reviewed the request and stated his recommendation to purchase the copy machine from Direct Copier Supplies.

Public Portion: None

MOTION by DUNN seconded by BUCCI to authorize the purchase of the Royal Copystar 3530 from Direct Copier Supplies for the total cost of Six Thousand Two Hundred Forty Eight dollars and 00/100 (\$6,248.00).

MOTION carried.

17. Request to purchase new Heavy Rescue.

Kenneth Meerschaert, Assistant Fire Chief, reviewed the request and stated his recommendation to purchase the heavy rescue from Hackney Emergency Vehicles/Apollo Fire Equipment.

Board discussion was held regarding the recommended vendor.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the purchase of the Heavy Rescue and award the bid to Hackney Emergency Vehicles/Apollo Fire Equipment for the total cost of Three Hundred Twenty Three Thousand Five Hundred Twenty Three Dollars and 00/100 (\$323,523.00).

MOTION carried.

18. Request permission to hire part time training person.

Raymond Ahonen, Fire Chief, reviewed the request.

Board discussion was held regarding current Fire Fighters that would qualify for the position.

Public Portion: None

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MOTION by DUNN seconded by MALBURG to authorize the Township Supervisor to contact MAFF regarding the possibility of hiring a, 30 hr/wk Part-time Training Person.

MOTION carried.

18a. Request for Temporary Leave of Absence.

Raymond Ahonen, Fire Chief, reviewed the request and stated his recommendation to approve.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to approve the six (6) month Temporary Leave of Absence for Michael Dew effective April 1, 2002 through October 1, 2002.

MOTION carried.

WATER/SEWER DEPARTMENT:

19. Easement Encroachment Request; Kraig and Lisa Radtke, 22644 Rambling Drive, Macomb MI 48044, Lot 181, Creekside Village Subdivision No.4.

David Koss, Water/Sewer Superintendent, stated this was an agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

MOTION by BUCCI seconded by MALBURG to grant an Easement Encroachment Agreement for a pool for Lot #181; 22644 Rambling Drive located within the Creekside Village Subdivision No.4.

MOTION carried.

20. Lawn Maintenance Contract for 2002 Season.

David Koss, Water/Sewer Superintendent, and stated his recommendations.

Board discussion was held regarding when the service was last put out for bids.

Public Portion: None

MOTION by DUNN seconded by OLIVER to follow the recommendations of the Water/Sewer Superintendent and award the 2002 Lawn Maintenance contract for Macomb Township to Dave's Landscaping for the submitted bid amount of Ten Thousand Eight Hundred Thirty Three dollars and 00/100 (\$10,833.00) and for the two Water & Sewer facilities and the Cemetery on 24 Mile Road to Vashco Lawn Care for the submitted bid amount of; Cemetery – Four Hundred dollars (\$400.00), Meter Pit – Sixty dollars (\$60.00) per cut and Pump Station – Forty Five dollars (\$45.00) per cut.

MOTION carried.

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21. Request Authorization for printing and postage of the 2001 Water Connection Report.

David Koss, Water/Sewer Superintendent, reviewed the request and stated that this report is mandated.

Public Portion: None

MOTION by OLIVER seconded by DUNN to award the printing of the 2001 Water Connection to Macomb Printing for the total cost of Three Thousand Six Hundred Dollars and 00/100 (\$3,600.00) and authorize the postage costs in the amount of Two Thousand Five Hundred Eighty Dollars and 00/100 (\$2,580.00).

MOTION carried.

22. Approval of Purchase Requisition:
a. SLC Meter Service

David Koss, Water/Sewer Superintendent, reviewed the request and stated the requisition and stated his recommendation to approve.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the payment of purchase requisition to SLC Meter Service for the total cost of Two Thousand Four Hundred Sixty dollars and 00/100 (\$2,460.00).

MOTION carried.

BOARD COMMENTS:

23. Supervisor's Comments
a. Request for Personal Leave; Water/Sewer Employee

Supervisor BRENNAN reviewed the request and stated his recommendation to approve and maintain health benefits.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to grant the Personal Leave as requested and maintain health benefits at the Township's expense.

MOTION carried.

- 23b. Contract for Township Street Mapping.

Supervisor BRENNAN stated that Bernard Lynden, Township Planner, will be retiring in April and has agreed to maintain the Street Mapping Services. Mr. Brennan reviewed the agreement submitted by Mr. Lynden and stated his recommendation to approve.

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Board discussion was held regarding the importance of maps to the Township.

MOTION by DUNN seconded by MEERSCHAERT to accept the agreement effective April 1st, 2002, and contingent upon the fulfilling of the current contract.

MOTION carried.

23c. Adoption of Resolution and Agreement for County Emergency Management.

Supervisor BRENNAN reviewed the request and stated the agreement is mandatory for the Township once the community reaches the population of 50,000.00.

Public Portion: None

MOTION by DUNN seconded by MALBURG to adopt the Resolution and Agreement for the County Emergency Management Program.

FOR THIS MOTION: DUNN, MALBURG, OLIVER, MEERSCHAERT, BUCCI, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

24. Clerk's Comments

a. Request for Temporary Help.

Clerk KOEHS reviewed the request.

Board discussion was held regarding wage.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to grant the request for Temporary Help for the Clerks Department.

MOTION carried.

25. Treasurer's Comments

None

26. Trustee's Comments

Trustee BUCCI thanked Chief Ahonen for his time and professionalism in answering his questions in regards to the Heavy Rescue agenda item.

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ADJOURNMENT

MOTION by DUNN seconded by MEERSCHAERT to adjourn the meeting at 8:33 p.m.

MOTION carried.

Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

Eva M. Mayer, Recording Secretary

MDK/emm